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Nemours Building  
1007 Orange Street, Suite 1100  
P.O. Box 1596  
Wilmington, DE 19899  
Phone: 302-778-2500  
Fax: 302-778-2600  
[www.ratnerprestia.com](http://www.ratnerprestia.com)

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## FAX FILING IN U.S. PATENT &amp; TRADEMARK OFFICE

DATE: December 22, 2005

TIME: \_\_\_\_\_

TO:	USPTO	FAX NO.:	571-273-8300
FROM:	Daniel N. Calder	ADMIN. ASST.:	Juli Lawrence
APPLN. NO.:	10/712,634	ATTY. DOCKET NO.:	YAO-3750US6
TITLE OF APPLN.: OPTICAL DEVICE, LASER BEAM SOURCE, LASER APPARATUS AND METHOD OF PRODUCING OPTICAL DEVICE			
FILING DATE:	November 13, 2005	ART UNIT:	2828
FIRST INVENTOR:	Kazuhisa Yamamoto, et al.	CONF. NO.:	2125
TITLE OF DOCUMENT (and List of Attachments): Transmittal; Response to Restriction Requirement			

Total Number of Pages: 4 (including this form)

## COMMENTS

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T-009 P.002/004 F-194

PTO/SB/21 (09-04) (AW 10/2004)

Approved for use through 7/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

*(to be used for all correspondence after initial filing)*

Total Number of Pages in This Submission

Application Number	10/712,634
Filing Date	November 13, 2005
First Named Inventor	Kazuhisa YAMAMOTO, et al.
Art Unit	2828
Examiner Name	Dung T. Nguyen
Attorney Docket No.	YAO-3750US8

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	
<input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<b>Remarks:</b>	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Restriction Requirement
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<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Restriction Requirement

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm Name	RatnerPrestia		
Signature	<i>Daniel N. Calder</i>		
Printed Name	Daniel N. Calder		
Date	December 22, 2005	Registration No.	27,424

**CERTIFICATE OF TRANSMISSION / MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	<i>Juli Lawrence</i>		
Typed or Printed Name	Juli Lawrence	Date	December 22, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appn. No: 10/712,634  
Applicant: Kazuhisa YAMAMOTO, et al.  
Filed: November 13, 2003  
Title: OPTICAL DEVICE, LASER BEAM SOURCE, LASER APPARATUS AND METHOD  
OF PRODUCING OPTICAL DEVICE  
TC/A.U.: 2828  
Examiner: Dung T. Nguyen  
Docket No.: YAO-3750US6

**RESPONSE TO ELECTION/RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed November 22, 2005, please consider the remarks set forth below.

The Examiner has requested restriction to one of the listed groups under 35 U.S.C. §121.

Applicants elect Group II with traverse.

Applicants submit that claims 80 and 85 are generic.

Applicants respectfully submit that claims 80-85 and 86-90 are sufficiently similar to claims 78-79 that it would not place an undue burden on the Examiner to examine all the claims.

If the Examiner has any questions or believes that personal contact would expedite prosecution of this application, the Examiner is invited to contact the undersigned at 610-993-4229.

Respectfully submitted,

*Daniel N. Calder*

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Daniel N. Calder, Reg. No. 27,424  
Attorney(s) for Applicant(s)

Dated: December 22, 2005

P.O. Box 980  
Valley Forge, PA 19482-0980  
(610) 407-0700

PATENT

YAO-3750US6

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being filed via Facsimile Transmission to Facsimile No. 1-571-273-8300 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:  
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Juli A. Lawrence  
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